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HOUSE JOINT RESOLUTION NO. 88**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Privileges and Elections
on February 12, 2010)

(Patron Prior to Substitute—Delegate Cole)

Memorializing the Congress of the United States to propose an amendment to the Constitution of the United States to require a balanced federal budget.

WHEREAS, this nation has become deeply in debt as its expenditures have exceeded available revenues so that the total federal public debt now exceeds \$10 trillion and continues to increase; and

WHEREAS, the federal budget fails to reflect actual spending because of the exclusion of special outlays that are neither included in the budget nor subject to the legal public debt limit; and

WHEREAS, knowledgeable planning requires that the budget reflect all federal spending and that the budget be in balance; and

WHEREAS, attempts to curtail federal spending, confine expenditures to available revenues, and reduce the annual deficit have met with only limited success; and

WHEREAS, the requirement to balance the budget will promote responsibility at the federal level, provide checks against unnecessary and costly appropriations, and reinforce efforts to bring about fiscal integrity; and

WHEREAS, the Constitution of the Commonwealth provides for a balanced budget, and this provision has reinforced the inherent fiscal common sense of spending only funds available and has contributed to the Commonwealth's outstanding reputation for sound fiscal management and policy; and

WHEREAS, the demand among the states and among the people is growing to call on the Congress to initiate the process to amend the Constitution of the United States to add a balanced budget requirement; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Congress of the United States be urged to propose an amendment to the Constitution of the United States to require a balanced federal budget. The proposed amendment should add a new article in the Constitution that will take effect when ratified by the legislatures of three-fourths of the several states within seven years after the date of its submission for ratification. The proposed article should contain substantially the following provisions:

1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

2. The limit on the debt of the United States held by the public shall not be increased, unless three-fifths of the whole number of each House shall provide by law for such an increase by a roll call vote.

3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.

4. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a roll call vote.

5. The Congress may waive the provisions of the article for any fiscal year in which a declaration of war is in effect. The provisions of the article may be waived for any fiscal year in which the United States is engaged in military conflict that causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

6. The Congress shall enforce and implement the article by appropriate legislation, which may rely on estimates of outlays and receipts.

7. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.

8. The effective date for the article; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the members of the Virginia Congressional Delegation, and the legislatures of each of the states, attesting the adoption of this resolution by the General Assembly of Virginia.